

Order

Michigan Supreme Court
Lansing, Michigan

October 25, 2013

Robert P. Young, Jr.,
Chief Justice

146872

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 146872
COA: 308275
Wayne CC: 03-011966-FH

THOMAS CLIFFORD WHITE,
Defendant-Appellant.

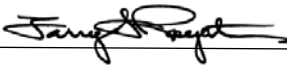
On order of the Court, the application for leave to appeal the January 24, 2013 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.302(H)(1). The parties shall submit supplemental briefs within 42 days of the date of this order addressing: (1) whether the defendant's unconditional guilty plea waived any violation of the 180-day rule, MCL 780.131 and MCL 780.133; see *People v Lown*, 488 Mich 242, 268-270 (2011), where the prosecutor had received (albeit possibly not by certified mail) a written Department of Corrections (DOC) notice of the defendant's incarceration and a request for final disposition of the pending charges, had responded to the notice stating that there were no pending charges against the defendant, and commenced the criminal action five years after receipt of the notice, and where the defendant and the Wayne Circuit Court were unaware of the notice and the response at the time of the plea proceeding; and (2) whether the defendant's guilty plea was properly set aside by the trial court for the reason that it was unknowing and involuntary due to the defendant's and the court's unawareness of the DOC notice and prosecutorial response. The parties should not submit mere restatements of their application papers.



s1022

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 25, 2013


Clerk